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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Ellen M. Troyer, et al.) Examiner: C. Tate
Serial No. 10/040,508) Group Art Unit: 1654
Filed: December 28, 2001) File No. 573-1
For: TREATMENT OF DRY EYE SYNDROME) Tiburon, California
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313.

ON 10-27-04
THOMAS M. FREIBURGER, Reg. No. 27,063
SIGNED [Signature]
DATE 10-27-04

RESPONSE TO OFFICIAL ACTION

A restriction requirement was sent by the Examiner for this divisional application on September 30, 2004. As noted in a telephone conference with Examiner Tate on October 26, the only claims remaining in the application are 22-28, thus no restriction is believed needed. In that conversation the undersigned attorney pointed out that the filing of the provisional application included a preliminary amendment cancelling claims 1-21.

Respectfully submitted,

[Signature]

Date: October 27, 2004

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